

12 CV 04268

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKAnthony Bennett

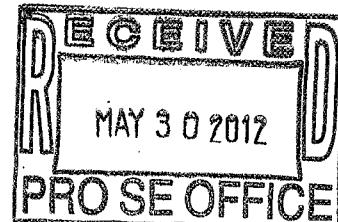
(In the space above enter the full name(s) of the plaintiff(s).)

-against-

City of New York et alNew York City of Dept of CorrsJane Doe

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

COMPLAINT

under the
Civil Rights Act, 42 U.S.C. § 1983
(Prisoner Complaint)Jury Trial: Yes No
(check one)

I. Parties in this complaint:

A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

Anthony Bennett

ID #

Current Institution

Address 82 Wadsworth AVE Apt 41
New York, N.Y 10033

B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name City of New York Shield # _____
 Where Currently Employed _____
 Address _____

Defendant No. 2

Name New York City of Dept of Corr Shield # _____
 Where Currently Employed _____
 Address _____

Defendant No. 3

Name Jane Doe Shield # _____
 Where Currently Employed 125 White Street
 Address 125 White Street N.Y.C 10013

Defendant No. 4

Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

Defendant No. 5

Name _____ Shield # _____
 Where Currently Employed _____
 Address _____

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur? Manhattan - Detention Complex 125 White Street N.Y.C

B. Where in the institution did the events giving rise to your claim(s) occur? 8 East

C. What date and approximate time did the events giving rise to your claim(s) occur? 9-19-2010 3:15 3:45 and 8:00 8:30

D. Facts: On 9-19-2010 on 8east in the Manhattan House of Detention 125 White Street N.Y.C. A Correction Officer, They call Ms.c. The Inmate call her that because her name is hard to say. She Call me a Black Mother fucking nigger. And She is a White C.O. That Work for D.O.C, and that is unprofessional for a C.O and is Raciste to call a Black inmate a nigger. She also took my pin number so I can't make anyer phone call to my Lawre my mother How was 90, yrs old at the time I Can nt call the I.G. to file a complaint. She didn't let me out of my cell to eat on time my cell is 2 So I can hear her tell the inmate to put a tray away for me. Then She make her rounded and look in my cell and keep on walkin She did not let me out until 4:30 pm. She did that on purpose so I can knock on the door, the inmate said, wind I got out to eat the say that how She is get you all upset, they get out at 4:00 pm to eat. She let me out at 4:30 pm. She had just come back off vacation, that was her first day back. She work 3 days a week in (8E) She work the 3:00 pm to 11:00 pm tour. I had to use a inmate phone to call the I.G., She also try to get the inmate het me up by taking the t.v. from them and tellling then it my forred the t.v. is off that hom they get inmate to het up over inm. I was Sealed to take a Shower, She put on my floor Card didn't give a pin number, C.O the Next day Showe me the floor in the right Corer it said don't give pinmumbre the IS how I call my Lawery a family

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. mental and emotional injury and Fear
Libel all so main Knock

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes No

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes No Do Not Know

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes No Do Not Know

If YES, which claim(s)? _____

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes No

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes No

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve? All

2. What was the result, if any? Do not Know

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. I wrote To P.L.S To Find

Out What to do D.O.C did not answer me

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here: _____

2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any: _____

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. _____

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). Monetary Compensation \$ 500,000.00
and "punitive damage" Because of Discrimination to be
Call Nigger Should not be Accepted or Tolerated it is
Receise

On
these
claims**VI. Previous lawsuits:**

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes No

B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes No

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?)

On
other
claims

C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes No

D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes No

If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 30 day of May, 2012

Signature of Plaintiff

Anthony Bennett

Inmate Number

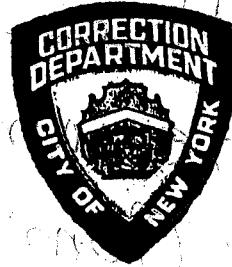
Institution Address

82 Wadsworth AVE Apt 41
New York, N.Y 10033

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this _____ day of _____, 20_____, I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:



MANHATTAN DETENTION COMPLEX
125 WHITE STREET
N.Y., N.Y. 10013

NEW YORK CITY
DEPARTMENT OF CORRECTION

INMATE VOLUNTARY STATEMENT FORM

INMATE'S NAME: Bennett, Anthony B&C# 34910

DATE: _____ TIME: _____ LOCATION: _____

I HEREBY ACKNOWLEDGE THAT THE ABOVE STATEMENT MADE TO

Gilliam

CAPT

368

NAME

RANK

SHIELD

IS MADE VOLUNTARILY AND OF MY OWN FREE WILL WITHOUT PROMISE OR HOPE OF REWARD, OR UNDER ANY THREAT OF PHYSICAL HARM OR FEAR OF SUCH.

On 9-19-2011 on 8E the office call me the X word and a B-m-F. with is unprofessional for a Office. The not only did She call me the X word. She also take my Pin number So I can not. Call the I-G or my Lawyer to fell a complaint. She then Write me up and more me off 8E the Next day and She did not let me out on time for Call to eat there got out at 400 She let me out at for 430pm She also put on my floor Card Not to give me a pin number. My pin number did not can on until 150 the Next day because the I-G said to get me a pin number.

OVER

INMATE'S SIGNATURE: Anthony Bennett 349-10-14641

WITNESSED BY: _____

Capt 368

I had to use a inmate phone so I can call T.I. She also try to have the inmate beat me up but ~~so~~ taking the TV from them her Name are what they call her is Mrs C. She work 3 day @ week in 8E and that was her first day Back. She work 3⁰⁰ to 11⁰⁰ tour all of thes start at about 8:00 8:30pm and the date I have on my Grievance is 9-19-2010 it was a Sunday the date is 9-19-2010 I do have witness that I will give to the I.C.P. I did give to my Lawyer. The C.P. did tell me to try 311 that day then my ^{rim} Number did not work.

did call the T-9
9-24-2010

Office (all me - the Ward)

Also tell my Pin Number so

W: ~~125-135~~ ¹²⁵ 135 E 11 a Camp

She then wrote me up and
expelled me off of the next
day and she did not let
me out for half an hour
She let me out at 4:30pm and

Well sites for 100%.

on the 9-19-2010. She also put
on my test card. I do not say
Pain Number. My pain number.

I didn't get up till 7. The
New day, at 7:30 a.m., C.C.

~~Go to the I do have witness
The office they call~~

her Mrs C. She work
The ~~8:00~~ 8:30 pm tollbooth. She also travel

To set the
Inmate to bit #
the cp. by takin'
on 8E. 2-18-2010

Anthony Bennett 349-10-4641
1191-4641
The H. From them
I want to take
a survey

2. Re My Attorney and on my floor
Antler Baylon Card It said down
to grievance get him number
for him

Call
Inspector General
Richard Donnell - Brooklin 1920

Exhibit (PLTV-HA-5-HPP-11)
AND
HEARING REQUEST

TO

FORMAL IGRC Committee
of The

NYC DEPARTMENT OF CORRECTION

11-16-2010

To the Inmate Grievance Review Committee

I submitted the attached grievance for informal review by the IGRC. As provided in D.O.C. Directive 3375R, I am requesting a formal hearing before the IGRC to call witnesses to appear before the IGRC for the reasons stated below.

no reply received) It has been more than five working days since I submitted my grievance of the IGRC and I have not received a response. I deem my grievance to have been constructively denied by the lack of a response.

Please schedule a formal hearing and make a recommendation on my grievance within three working days.

Anthony Bennett

Anthony Bennett
349-10-14641

④ Exhibit
Anthony Bennett
Marcy Correctional Facility
Box 3600
Marcy, N.Y. 13403-3600

Warden Rose Agro
Houses of Detention
125 White Street
N.Y.C. 10003

Dated: 1-17-2012

Re: *Freedom of Information Law Request*

Dear Sir/Madam:

Under the provisions of the *New York Freedom of Information Law, Article 6, Public Officers Law, §84 et seq.*, requires that an agency respond to a request within five business days of receipt.

I hereby request copies of the following records: Capt. Gillow Shield 369 in Vestigation of C.O. Call me a nigger, Black Mother fuck, and taking my pin number and a copy of Floor Card She Worte on. They Call her MSC 9-19-2010 8E her name 3 to 11 That also Con from my Grievace it was a Sunday

If the fees for copying the requested records are in excess of _____, please inform me before filing the request. If the fees are _____ or less, please notify me and I will submit the proper payment.

If for any reason any portion of my request is denied, please inform me of the reasons for the denial in writing and provide the name and address of the person or body to whom an appeal should be directed. I await your reply.

Respectfully,

Anthony Bennett

cc: file

No reply

Anthony Bennett # 11-A-1923

Marcy Correctional Facility
Box 3600
Marcy, N.Y. 13403-3600

Board of Correction
51 Chambers Street Rm 923
New York, N.Y. 10007

Dated: 1-3-2012

Re: *Freedom of Information Law Request*

Dear Sir/Madam:

Under the provisions of the *New York Freedom of Information Law, Article 6, Public Officers Law, §84 et seq*, requires that an agency respond to a request within five business days of receipt.

I hereby request copies of the following records:

Copies of the investigation that the Legal aid Society ask for
the C.O. name they call her Ms. C. She work 8E on 9-19-2010
Copies of all investigation that can from the Grievance and a
Copy of the flooreard that She wrote on or my flooreard for 9-19-2010
Copy of Capt Gilliam shield 369

If the fees for copying the requested records are in excess of ?,
please inform me before filing the request. If the fees are ? or less, please
notify me and I will submit the proper payment.

If for any reason any portion of my request is denied, please inform me of
the reasons for the denial in writing and provide the name and address of the
person or body to whom an appeal should be directed. I await your reply.

Respectfully,

Anthony Bennett

cc: file

C.C. File

No reply

Anthony Bennett
Marcy Correctional Facility
Box 3600
Marcy, N.Y. 13403-3600

Warden Rose Agro
Houses of Detention
135 White Street
N.Y.C. 10003

Dated: 1-17-2012

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Respectfully,

Anthony Bennett

cc: file

No reply